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August 3, 2006

Via First Class Mail

Mr. Vincent Stuart Technical Center Others U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

Re: RESERVE POWER CELL, LLC

Patent Application Entitled: Multiple Battery System and Auxiliary Battery Attachment

System; Serial No. 10/604,703; Deposit Account No. 50-1111

Our File No. 013476-05187

Dear Mr. Stuart:

This letter is in furtherance of your letter dated July 27, 2006 informing us that the refund request for the above-referenced patent application was denied. Further to the November 23, 2005 submission in support of Request for Continued Examination claims 1-36 and 63-87 were inadvertently listed as withdrawn claims which were supposed to be listed as cancelled claims. Upon reviewing the Image File Wrapper from the U.S. Patent and Trademark Office ("PTO") website, we noticed that in accordance to the Claims Worksheet (PTO -2022) dated December 1, 2005 (a copy of which is enclosed), the PTO counted Claims 1-36 and 63-87 as being pending claims. These claims were already cancelled in response to the restriction requirement dated July 12, 2004. Furthermore, a Notice of Non-Compliance issued on January 25, 2006 indicating that claims 1-36 and 63-87 were improperly listed as withdrawn when they were previously cancelled. Therefore, a response was submitted on January 27, 2006 amending the claims accordingly such that claims 1-87 were correctly indicated as cancelled and claims 88-105 were indicated as "new" or added. Therefore, claims 88-105 constitute eighteen claims which remain pending in the above-referenced application, three of which are independent. These claims are covered by Applicant's original payment to examine eighty-seven (87) claims, of which four (4) were independent.

Mr. Vincent Stuart August 3, 2006 Page 2

I am also enclosing a copy of the Claims Worksheet (PTO – 2022) and the Fee Worksheet (PTO-475) dated June 15, 2006, which indicates the total number of pending claims (eighteen) and that no additional fee is required. We are requesting a refund in connection with the above-referenced patent application. The charges were charged in error by the U.S. Patent and Trademark Office ("PTO").

In view of the above and the enclosed PTO worksheets, kindly refund the charge of 200.00 into our Deposit Account No. 50-1111.

If you have any questions, please feel free to contact me.

Very truly yours,

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DCC:cm Enclosures

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Approved for use through 7/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. PATENT APPLICATION FEE DETERMINATION RECORD Application or Dockely Number Substitute for Form PTO-875 APPLICATION AS FILED - PART I OTHER THAN (Column 1) SMALL ENTITY OR (Column 2) SMALL ENTITY NUMBER FILED NUMBER EXTRA RATE (\$) FEE (\$) RATE (\$) FEE (\$) BASIC FEE (37 CFR 1.16(a), (b), or (c)) SEARCH FEE (37 CFR 1.16(k), (i), or (m)) EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) TOTAL CLAIMS (37 CFR 1.18(i)) minus 20 = OR INDEPENDENT CLAIMS (37 CFR 1.16(h)) minus 3 = = If the specification and drawings exceed 100 sheets of paper, the application size fee due APPLICATION SIZE is \$250 (\$125 for small entity) for each (37 CFR 1.16(s)) additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.18(I)) * If the difference in column 1 is less than zero, enter "O" in column 2. TOTAL TOTAL APPLICATION AS AMENDED - PART II OTHER THAN (Column 1) (Column 2) (Column 3) SMALL ENTITY SMALL ENTITY CLAIMS HIGHEST REMAINING NUMBER PRESENT RATE (\$) ADDI-RATE (\$) **AFTER EXTRA** PREVIOUSLY TIONAL AMENDMENT PAID FOR FEE (\$) ω̈ FEE (\$) Total Minus (37 CFR 1.160)) Ճ Independent (37 CFR 1.16(b)) Minus 00 ш Application Size Fee (37 CFR 1.16(s)) FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(J)) OR TOTAL TOTAL ADD'L FEE OR ADD'L FEE (Column 1) (Column 2) (Column 3) CLAIMS HIGHEST REMAINING ന NUMBER PRESENT RATE (\$) ADDI. RATE (\$) ADDL PREVIOUSLY EXTRA TIONAL ENT TIONAL AMENDMENT PAID FOR FEE (\$) FEE (\$) Total (37 CFR 1.180)) Minus ENDM OR Minus (37 CFR 1.18(h)) OR Application Size Fee (37 CFR 1.16(s)) FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(J)) OR

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This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, OSPTO to process) an apprication. Commerce by 35 U.S.C. 122 and 37 CFK 1.14. This correction is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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